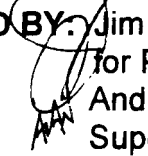


**STAFFORD COUNTY SCHOOL BOARD**  
**Agenda Consideration**

**TOPIC:** Resolution Regarding  
Armstrong Loop Road

**ITEM NO.:** 9B

**PREPARED BY:**  Jim O'Shaughnessy, Executive Dir.  
for Planning and Construction  
Andre A. Nougaret, Assistant  
Superintendent for Support Services

**MEETING:** December 9, 2003  
**ACTION DATE:** Dec. 9, 2003

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**ACTION REQUESTED BY THE SUPERINTENDENT:** Recommend the Board adopt the attached resolution concerning the planned loop road on the Armstrong property.

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**KEY POINTS:**

1. The Comprehensive Agreement for development of the Armstrong property includes, within its scope, a "loop" road which is intended to serve the ingress and egress needs of the various public and private entities which may ultimately reside on the tract. Also included in the scope of the Comprehensive Agreement was a requirement that the loop road be constructed to meet VDOT standards for secondary roads so that VDOT would ultimately assume responsibility for the road's operation and maintenance.
2. With the adoption of a polygonal alignment for the road, vice the original curvilinear "loop" design, the intersection alignments were found to be contrary to accepted VDOT design practice. In addition, VDOT design practice requires a minimum roadway width of 38' as opposed to the 30' width upon which the Haskell/Hess team provided a bid estimate.
3. Staff has endeavored to ameliorate the differences between the Haskell/Hess design and VDOT requirements. Staff is cognizant of potential liability issues which could accrue to the Division should the road to be constructed as a private road.
4. The attached resolution seeks to express the desire of the Board to move forward with the Haskell/Hess "loop" road design, as a private road, while also attempting to apportion and assign liability risks associated with private entity access to and use of the road to those entities through the terms of their land purchase or lease.

**SCHOOL BOARD GOAL:** #5 Provide Facilities that Promote Student Learning  
and Community Support

**FUNDING SOURCE:** N/A

**AUTHORIZATION REFERENCE:** N/A

## **RESOLUTION**

**WHEREAS**, Stafford, more particularly, the Stafford County Board of Supervisors and the Stafford County School Board, have entered into a Comprehensive Agreement for the development, design, and construction of new educational facilities for Stafford County, as two of the three parties to the agreement, the third being Haskell/Hess P3 Schools Joint Venture (hereinafter referred to as Haskell/Hess), and

**WHEREAS**, the Comprehensive Agreement contemplates a loop road on the Armstrong property, a School Board owned 151 acre tract in the vicinity of Mountain View Road at its intersection with Choptank Road, the purpose of which is to serve the ingress and egress needs of the activities and facilities on the property, and

**WHEREAS**, the Comprehensive Agreement contemplates the activities/facilities on the Armstrong property to include an Elementary School, High School, YMCA, Senior Living Village, and Institution of Higher Learning satellite facility, and

**WHEREAS**, the Comprehensive Agreement contemplates such loop road as being acceptable to the Virginia Department of Transportation as a state secondary road upon its completion, where the intent is to secure perpetual operation and maintenance of the road and to direct liability for accidents and incidents occurring thereupon to the Virginia Department of Transportation, which is staffed to handle such issues as a matter of routine, and

**WHEREAS**, the standards for secondary road construction preclude 90 degree turns and require 38' curb-to-curb roadway width, the former design characteristic being an integral element of the site design concept, the latter being incompatible with the scope upon which the Haskell/Hess team provided a quote for the loop road as an element of the guaranteed maximum price cited in the Comprehensive Agreement, and

**WHEREAS**, the Haskell/Hess team has been unable, despite its best efforts, to develop a design concept which reconciles this conflict manifest in the Comprehensive Agreement, and

**WHEREAS**, the School Board recognizes that this issue currently presents an impediment to culminating progress in securing, through the Stafford County Technical Review Committee, an approved site plan for comprehensive development of the Armstrong property, and

**WHEREAS**, the Board recognizes that by relieving the Haskell/Hess team of the requirement to deliver a loop road which meets state secondary road requirements, it assumes responsibilities commensurate with ownership of such a road, including seasonal maintenance (including snow and ice removal), periodic maintenance (including striping, pavement repair, etc.), periodic renovation (i.e., resurfacing, etc.), and liability stemming from accidents and incidents which may occur on the road, and,

**WHEREAS**, the Board is willing to accept such responsibilities but has a keen interest in mitigating its exposure to the full burden of engineering, construction, operation and maintenance, and liability related to the loop road, and

**WHEREAS**, the Haskell/Hess team is in a position, through its development responsibilities manifest in the Comprehensive Agreement, to assist Stafford in this regard, whether by stipulating to planned private Armstrong activities/facilities terms of land sale or lease which advance the above mentioned interests of the Board,

**NOW, THEREFORE, BE IT RESOLVED** that the Board recognizes, considering the factors cited above, that a prudent course of action is to relieve the Haskell/Hess team of its Comprehensive Agreement responsibility to deliver a loop road which is acceptable as a state secondary road, with the understanding that all planned private development brought to fruition under terms of the Comprehensive Agreement will be obligated, through terms of land sale and/or lease; to remunerate Stafford for its design, construction, and operation and maintenance costs on a fair share basis and hold Stafford harmless regarding accidents and incidents on such road when and where Stafford has executed reasonable efforts to maintain, by itself or in partnership with other Armstrong property activities and facilities, the loop road.

Approved by the School Board, December 9, 2003

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Chairman, Stafford County School Board

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Clerk, Stafford County School Board